

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 234217

61

ORIGIN L-03

INFO OCT-01 EA-07 ISO-00 SCA-01 JUSE-00 SCCT-01 SNM-02

EB-07 DEAE-00 VO-03 /025 R

\$RAFTED BY L/SCA:HRGAITHER:EDD

APPROVED BY L/M:KEMALMBORG

JUSTICE: MR. M. STEIN

EA/TB: MR. G. ROBERTS

EA: MR. R.H. MILLER

L/T: MR. A. ROVINE

S/CCT: MR. FEAREY

S/NM: JRAFFERTY

EB/OA/AVP: JSBRAVATT

----- 084960

R 012331Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK

LIMITED OFFICIAL USE STATE 234217

E.O. 11652: N/A

TAGS: PFOR, TH

SUBJECT: EXTRADITION TREATY NEGOTIATIONS -- THAILAND

REF: BANGKOK 20030 AND PREVIOUS.

1. DEPARTMENT IS PREPARED, IN ACCORDANCE WITH EMBASSY REQUEST CONTAINED REFTL, TO SEND TO EMBASSY FOR TRANSMITTAL TO MFA PROPOSED PROTOCOL TO U.S./THAI EXTRADITION TREATY WHICH WOULD ADD OFFENSE OF NARCOTICS AND ENABLE EXTRADITION OF NATIONALS OF BOTH PARTIES.

2. IN ADDITION TO THE ABOVE TWO AMENDMENTS, DEPARTMENT WOULD LIKE TO ADD THE OFFENSE OF HIJACKING AND A PROVISION WHICH WOULD ENABLE THE EXTENSION OF THE AGREEMENT TO COVER LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 234217

OFFENSES COMMITTED OUTSIDE THE JURISDICTION OF EITHER PARTY.

THIS LATTER PROVISION WOULD, FOR EXAMPLE, ENABLE EITHER THAILAND OR THE UNITED STATES TO OBTAIN EXTRADITION FOR A NARCOTICS OFFENSE COMMITTED OUTSIDE THE TERRITORY OF EITHER PARTY PROVIDED THAT THE LAWS OF BOTH PARTIES MAKE SUCH ACTS AN OFFENSE. THE TYPICAL CASE WOULD BE OF AN INDIVIDUAL WHO MIGHT BE OPERATING OUT OF A THIRD COUNTRY TO EXPORT NARCOTICS FROM THE THIRD COUNTRY INTO THAILAND OR INTO THE UNITED STATES, E.G., MA CASE. IF SUCH AN OFFENSE IS COVERED UNDER THAI LAW, THE THAIS COULD OBTAIN THE EXTRADITION OF SUCH AN INDIVIDUAL EVEN THOUGH HE NEVER WAS PHYSICALLY PRESENT IN THAILAND WHEN THE ACTS OCCURRED, AND THE UNITED STATES COULD SIMILARLY OBTAIN THE EXTRADITION OF AN INDIVIDUAL IN SUCH A CASE. THIS PROVISION FREQUENTLY APPLIES TO COUNTERFEIT OFFENSES AS WELL. EMBASSY VIEWS ON ACCEPTABILITY OF THESE TWO PROPOSALS IS REQUESTED.

3. THE U.S. HAS TWO TYPES OF CLAUSES ON THE EXTRADITION OF NATIONALS: ONE IS A MANDATORY CLAUSE; THE OTHER IS A DISCRETIONARY CLAUSE. IN VIEW OF IMPLICATIONS A MANDATORY CLAUSE WOULD HAVE ON U.S. FORCES IN THAILAND, SUGGEST EMBASSY CONSULT WITH MACTHAI. ASSUMING MACTHAI HAS NO STRONG VIEWS, EMBASSY IS REQUESTED TO INDICATE YOUR VIEW AS TO WHICH WOULD BE PREFERABLE TO THAI GOVERNMENT.

4. UPON RECEIPT OF RESPONSE TO PARAS 2 AND 3, DEPARTMENT WILL PROMPTLY TRANSMIT DRAFT OF PROTOCOL TO EMBASSY. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, AGREEMENTS, AMENDMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 01 OCT 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE234217
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750342-0135
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751095/aaaadgpf.tel
Line Count: 87
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 BANGKOK 20030
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 23 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 JUL 2003 by ShawDG>; APPROVED <24 DEC 2003 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION TREATY NEGOTIATIONS -- THAILAND
TAGS: PFOR, TH, US
To: BANGKOK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006